

COURT APPOINTED SPECIAL ADVOCATE/CHILDREN'S JUSTICE ACT  
PROGRAM ADVISORY COMMITTEE

MEETING MINUTES

April 25, 2003

A meeting of the Advisory Committee to the Court Appointed Special Advocate and Children's Justice Act programs was held on Friday, April 25, 2003 at the Richmond Police Training Academy in Richmond.

Members Present

Fred Orelove, Chair  
Mary Evans  
Michael Hall  
Kent Hymel  
Alice Koenig  
Mindy Loiselle  
Ruth Stone, Vice Chair

Members Not Present

Sharon England  
Pat Kelleher  
Eric Olsen  
Pat Romano

DCJS Staff Present

Fran Ecker  
Denise Marks  
Laurel Marks  
Holly Oehrlein  
Melissa O'Neill

Special Guest: Lelia Hopper, Office of the Executive Secretary, Supreme Court of Virginia

The following items were discussed.

Dr. Fred Orelove called the meeting to order at 10:00. Introductions followed.

Dr. Orelove asked if any additions or corrections needed to be made to the minutes from the January meeting. He noted that a minor change to the January minutes was noted on page 3 (second sentence in the second to last paragraph should read "There will no longer be a two-state organization model in Virginia." Mindy Loiselle moved to approve the minutes. Michael Hall seconded the motion. Hearing no objections, the minutes were approved with amendment.

**Adoption and Safe Families Act – Timeline requirements once TPR is achieved  
Lelia Hopper – Office of the Executive Secretary, Supreme Court of Virginia**

Melissa O'Neill introduced Lelia Hopper from the Office of the Executive Secretary, Supreme Court of Virginia. Ms. Hopper distributed a hard copy of the "Time Line and Related Forms" that the J&DR Courts use for Child Abuse, Neglect and Foster Care Cases. Ms. Hopper explained the hearing process (from emergency removal hearing through adoption). She reviewed the type of hearings and time frames in which they should occur. She noted that the time frame to achieve permanency for a child should be as short as possible. Because adoption takes place in the Circuit Court – not the Juvenile Court – and the Circuit Court has no procedure for continuous tracking, the Circuit Court has no ongoing responsibility for children. To correct this flaw, the Adoption Progress Report (APR) was developed. This report is filed every six months until there is a final adoption. The first report (which

is filed within 6 months of the TPR) is an administrative filing. There is no hearing required at this time, but one may be requested by the court, agency, or GAL. The APR contains mandatory and optional findings. If any of the mandatory findings are NOT made, a hearing should be requested. The Supreme Court has provided training advising GALs what to look for with the optional findings. Ms. Hopper then discussed the role of a CASA volunteer during this process. She stated that it is not the role of the CASA volunteer role to find or approve an adoptive family for the child. This is the responsibility of the Department of Social Services, not the Courts, CASA Volunteers or GALs. Nevertheless, CASA Volunteers can provide appropriate input into the process, by pointing out when various parties are not fulfilling their obligations. CASA volunteers might follow up on the filing of the APR's to make sure they are filed on a timely manner and filled out appropriately. The CASA should not attempt to do the work of the DSS or the GAL.

A question was raised about situations where one agency may think a family is 'not' a suitable resource to be an adoptive family, but another agency does approve of the placement and places a child with that family. Would it be appropriate for the GAL to provide input on the suitability of the placement? Ms. Hopper felt that it might be appropriate for the GAL to request a hearing on the issue. Another Advisory Committee member pointed out that two local DSS's may have different conclusions about a placement.

Another Advisory Committee member inquired whether judges ever find out if the child has been adopted. The APR has been amended to show the date the adoption took place, so the court can remove it from their records.

It was suggested that 'guidelines/recommendations' for CASA Volunteers to use during the adoption process be drafted. Ms. O'Neill will develop guidelines for the Committee to review. Ms. Hopper will provide Ms. O'Neill with a copy of the actual APR and guidelines to assist with the process.

Discussion followed on some of the detriments of handling adoptions at the Circuit Court level rather than in the Juvenile Court. One reason adoptions are done in Circuit Court is that it is a court of record. Adoptions should take place in approximately 24 months from the time the child comes into the system. However, the average time frame for adoption in Virginia is approximately 48 months.

#### **Citizen Review Panel – Alice Koenig on behalf of B. J. Zarris, Virginia Department of Social Services**

Materials ("CAPTA State Plan", "Executive Summary/Final Report of the Multiple Response System for Child Protective Services in Virginia" and Information from the CAPTA Web Site "Welcome to the Children's Bureau") were sent to the committee via U.S. Mail prior to the meeting. The CAPTA State Plan information that was distributed is the CPS portion only, not the entire plan. This plan is updated annually.

In considering where the Advisory Committee might want to focus its energy as a CRP, there was some discussion that the Advisory Committee consider examining the intake of cases through the 24-hour State Child Abuse and Neglect Hotline. There are concerns about how often citizens call and the call is triaged by the call taker and nothing more ever happens. The state hot line worker is not supposed to make a decision as to whether a report is valid or not. They are just supposed to take the call and report it to the locality. This led to discussion about different localities responding to reports differently. If the issue is that different local agencies are acting in a disparate manner, then this is not an issue on which it would be appropriate for the CRP to make recommendations regarding to the state, because the state is not the source of the problem.

The implementation of the Differential Response System at the state level is a subject within the purview of the state that the Advisory Committee could examine. Questions were raised about the methodology that might be used to conduct an independent review of the Differential Response System. A motion was made and seconded that DSS propose methodology to include current reviews at the local level for a review of the implementation of the Differential Response System. The Chair requested a vote on the motion, which passed unanimously.

#### **GAL Study Update – Sharon England**

Ms. England was unable to attend due to a court hearing. Staff advised that they had spoken to Ms. England who reported that there was no additional information at this time. The next meeting on this topic will be May 5, 2003.

## **CASA Program Update – Melissa O'Neill**

Ms. O'Neill presented the four-year overview of CASA statistics and information on the funding of CASA for the past four years. She reported that while the cost and funding have gone up over the past four years, the state appropriation has remained steady between 22% to 24% of the overall funding for local CASA programs.

Ms. O'Neill reported that the grants for the state have gone out. CASA sustained a 15% cut and was able to access the Byrne funds that will assist the programs in managing this loss. However, next year, these funds will decrease and the local match portion will increase.

Ms. O'Neill attended the National CASA Conference and the State Director's Meeting held in Boston, MA from March 28 – April 1. The first phase of the National CASA Standards Quality Assurance Program will be implemented in June 2003. There are several Virginia programs that have signed up to be in the first roll-out wave. Participating programs will be required to convene a panel of reviewers to complete the NCASAA Standards Self Assessment Tool.

Ms. O'Neill had the opportunity to present at the Region 3 Superintendent and Judicial Meeting in March. The attendees were most interested in the role of CASA and how the school can effectively interface with CASA volunteers.

A Committee member asked what general issues are facing CASAs in the state. Funding is always an issue. Even though CASA is managing the cut for last year and this coming year, the reality is that they may not fair well next year. Programs are already experiencing loss in funding at the local level. Ultimately, the loss of funding will impact staffing. Loss of staff will result in fewer children being served since the regulations require one FTE staff supervisor for every 25 active volunteers assigned to cases. Another issue that CASA programs consistently are challenged by is board development. Since most of the CASA programs are private, non-profit organizations, the challenge is to get local boards of directors to approach their work as though they are operating a business. Board members are volunteers as well, so there is a process of training and cultivation that needs to take place to strengthen local boards of directors. Another concern is for the perceived variance in practice between localities. The four Metro Richmond area CASA programs meet regularly to collaborate and try to figure out the discrepancies since they share many of the same resources (GALs, and other common service providers). They are working on trying to survey those pertinent stakeholders to try and get some feedback. DCJS has agreed to assist in this process.

## **Approval of the CJA Three Year Plan – Holly Oehrlein**

Ms. Oehrlein briefly went over the changes to the Three Year Plan suggested by the Advisory Committee at the last meeting. Ruth Stone made a motion to approve the plan. The motion was seconded by Alice Koenig. The committee then took a vote and approved the Three Year Plan unanimously.

## **CJA Program Update – Holly Oehrlein**

The Improving Investigation and Prosecution of Child Abuse conference plans are in the final stage. This conference will take place on May 15<sup>th</sup> and 16<sup>th</sup> at the Greater Richmond Convention Center. The same program will also take place in Williamsburg on November 13<sup>th</sup> and 14<sup>th</sup>. The only change in the November program is that Suzanne Starling will be doing the medical presentation rather than Robin Foster. In response to decreasing attendance numbers in the past few years the mailing list for conference brochures was increased to include Guardians Ad Litem for children.

The 2003 Team Tune-Ups are being planned. Rather than doing the normal type of "Team Tune Up" focusing on developing and revising protocols, it was tentatively decided that we would hold a one-day training on Forensic Interviewing of Children. This type of training continues to be a constant request from the field. Because the two Improving Investigation and Prosecution of Child Abuse conferences will be in the eastern part of the state, it was

decided that the Team Tune-Ups should be located in the western part of the state. Tentative locations are: Leesburg, Staunton, Roanoke and Abingdon. Speakers still need to be identified.

Ms. Oehrlein is in the process of contacting every locality in the state requesting information regarding whether the locality has a multidisciplinary team to investigate child abuse cases. This is a very long process because we have 96 counties and approximately 30 cities, but we are making progress. This information is also being stored on a central list that will contain information on the population in the localities as well. The list can then be used to identify teams to target for technical assistance with team development. It was requested that this list be distributed to the Advisory Committee once it is complete. Ms. Koenig advised The Department of Social Services has an internal mail system through which conference flyers can be sent to all CPS departments statewide for free.

Another issue Ms. Oehrlein is working on is confidentiality of information in the multidisciplinary team context. Research was done through the Virginia Code and a booklet is being developed for distribution to teams. The booklet will contain a list of the current Virginia teams.

Children's Justice Act funds will be used for the Commonwealth's Attorney's Services Council Child Advocacy Course. This is a weeklong course for new prosecutors. The program will be held in June and focus on a Shaken Baby case.

Advisory Committee members were provided with another copy of the "Legislative Update." On this version, legislation that passed through the General Assembly and became law was marked with bold type.

Finally the Children's Justice Act Grant application should be issued today. Once it is issued, we have 45 days to submit the application. Much of the application has already been drafted. Ms. Oehrlein will attach the Three Year Plan to the grant since it was approved today.

## **New Business & Adjournment**

### Nominating Committee

The Chair indicated that we are in need of two people to be on the Nominating Committee to present a slate of officers for vote at the next meeting in July. Ruth Stone volunteered to be the Chair of this committee and Mindy Loiselle volunteered to be the Co-chair. Discussion was held regarding the duties of both officers.

### Next Meeting

The Chair announced that the next meeting will take place on July 25<sup>th</sup>. It was decided that we would continue to meet at the Richmond Police Training Academy.

### Adjournment

The Chair asked if there was any other new business. There being none, the meeting was adjourned at 1:08 p.m.